

STATE OF VERMONT
DRUG RECOGNITION EVALUATION
 DPS 339

Rolling Log No. **10-7-42** Case Number **10A103702**

Page **3** of **3** TO BE COMPLETED BY D.R.E. TRAINED PERSONNEL

Offense(s) Charged **DUI-D**

Name (Last, First, Middle) **[REDACTED]** DOB **[REDACTED]** Age **31** Sex **M** Arresting Officer (Name/Agency) **SGT COCHRAN MONTPELIER PD**

Date/Time of Arrest **9-8-10 1822** Breath test results **.000%** Time **1816** Refused **Instrument # 264855** Date/Time/Location of Examination **9-8-10 1913 MONTPELIER PD**

Admonition of Rights given by? **Sgt. COCHRAN** Rights Waived? ☒ Yes ☐ No What have you eaten today? **TURKEY/BAW WRAP** Time? **3:15 pm** What have you been drinking? **NOTHING** How much? **-** Time of last drink? **-**

Time Now? **1820 pm** When did you last sleep? **LAST NIGHT 2am-630am 4 hrs** How long? **NO** Are you sick/injured? ☒ Yes ☐ No Are you diabetic or epileptic? ☐ Yes ☒ No

Do you take insulin? ☐ Yes ☒ No Do you have any physical defects? ☐ Yes ☒ No Are you under the care of a doctor/dentist? **DR. STONE DRUG THERAPY** ☐ Yes ☒ No

Are you taking any medication or drugs? **Ritalin/COCAINE NIGHT before/Buprenorphine** ☒ Yes ☐ No Do you have high blood pressure or heart disease? If yes, describe. ☒ No ☐ Yes Have you ever had a severe head injury? ☐ Yes ☒ No Do you have brain damage? ☐ Yes ☒ No

Speech **NORMAL** Attitude/Behavior **INDIFFERENT/CRYING** Coordination **POOR** Face **NORMAL** Breath/Odors **NORMAL**

Corrective Lenses ☐ Glasses ☐ Contacts ☐ Hard ☐ Soft ☒ None Eyes ☐ Normal ☒ Bloodshot ☒ Watery Blindness ☒ None ☐ Right Eye ☐ Left Eye

Pupil size ☒ Equal ☐ Unequal (explain) **3.0** Able to follow stimulus? ☒ Yes ☐ No Eyelids ☐ Retracted ☐ Normal ☒ Droopy (3) One leg stand Timed 30 seconds Count # **20** Count # **9**

Pulse & Time	HGN	Right eye	Left eye	Vertical nystagmus?	Convergence
1. 90, 1924	Lack of smooth pursuit	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Yes <input type="checkbox"/> No	Right eye <input type="checkbox"/> Left eye <input type="checkbox"/>
2. 92, 1941	Max. deviation	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
3. 92, 1955	Angle of onset <input type="checkbox"/> Resting (0) <input type="checkbox"/> Immediate (0-30) <input type="checkbox"/> Rapid (35) <input type="checkbox"/> Near extreme (40) <input checked="" type="checkbox"/> Extreme (45) NONE				

(1) Modified Romberg (2) Walk: and turn Cannot keep balance ☒ Started too soon ☐ Stopped walking ☐ Missed heel-toe ☒ Stepped off line ☒ Raised arms ☐ Actual steps taken **9 9** Type of footwear **SNEAKERS**

Internal clock **24** Estimated as 30 sec. **MANY SMALL STEPS** Cannot do test (explain) **COULD NOT KEE BALANCE**

(4) ☐ Right ☐ Left Finger/Nose Draw lines to spots touched Pupil Size: MM

	Right Eye	Left Eye
Room Light	3	3
Near Total Darkness	5	5
Direct	2.5	2.5

Comments **SWAYED LOST BALANCE** Rebound dilation ☐ Yes ☒ No Reaction to light ☒ Normal ☐ Slow ☐ Little or None Visible

Blood pressure **115/62** Temperature **99.0 °F** Muscle tone ☐ Near Normal ☒ Flaccid ☐ Rigid

Chemical test time: ☐ Blood ☒ Refused

Witness **COCHRAN/BUPRENORPHINE/RITALIN**

Examining Officer **S/TPR RAVELIN** I.D. Number **229** IACP/DRE # **15470**

Agency **VSP. W. HILTON** Reviewed by **DRE -- Ravelin**

Drug admission? **COCHRAN/BUPRENORPHINE/RITALIN**

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Drug recognition evaluation report/narrative

1: Location:

The evaluation was conducted at the Montpelier Police Department.

2: Witness:

The entire evaluation was witnessed by Sgt. Cochran of the Montpelier Police Department.

3: Breath Test:

██████████ provided a sample of his breath with a Preliminary Breath Test result of .000% BrAC using an Alco IV serial number 064855.

4: Notification/Interview of A/O:

I was notified by VSP Williston Dispatch that Sgt. Cochran was requesting a DRE after observing a vehicle nearly colliding with a parked vehicle. I spoke with Sgt. Cochran by phone. He stated he observed ██████████ drive over a curb and nearly collide with a parked vehicle. Sgt. Cochran stated he noticed ██████████ had watery and he was lethargic. After performing poorly on the Standard Field Sobriety exercises and providing a sample of his breath, Sgt. Cochran then requested a DRE.

5: Initial Observations:

When I first observed ██████████ he was sitting in interview room. His head was down and his chin was resting on his chest. When I entered the room he lifted his head and opened his eyes. I noted his eyes were watery and blood shot.

6: Medical Problems:

No evidence of injury or illness was observed.

7: Psychophysical Tests:

██████████ exhibited impairment though out all portions of the psychophysical tests. On the Modified Romberg, Sevene exhibited a 3 inch circular sway. On the Walk and Turn, ██████████ could not keep balance during instructions, stepped of line and missed touching heel to toe on all the steps in the first nine steps. On the second set of nine steps, he missed touching heel to toe on all the steps except number eight. On the One Leg Stand, ██████████ could not complete the exercise on either foot. He put his foot down on numbers 11 and 20, swayed while balancing, and used his arms for balance and counted to 20 in 30 seconds while standing on the left foot. While standing on the right foot, ██████████ put his foot down on numbers 1, 6, and 8 and he swayed while balancing. ██████████ counted to 9 in 30 seconds. On the Finger to Nose exercise, Sevene failed to touch the tip of his nose on numbers 1, 3, 4, 5, and 6. He swayed and lost balance during the exercise.

8: Clinical Indicators:

EYES: ██████████ eyelids were droopy. He was exhibiting mild ptosis. ██████████ was able to follow a stimulus. I noted a lack of smooth pursuit. I observed a lack of convergence in both the left and right eyes. ██████████ pupils were at the low end of normal in the near total darkness conditions.

VITALS: ██████████ pulse was above normal on two readings and at the high end of normal on the third at 90, 92, and 92 BPM. His blood pressure was below normal at 115/62. ██████████ body temperature was above normal at 99.0 degrees. His muscle tone was flaccid.

Subscribed and sworn to before me on

This 22 day of September 2010

M. L. Miller
(Notary Public) (Judicial Officer)

[Signature]
(Affiant)
9-22-10
(date)

Drug recognition evaluation report/narrative

9: Signs of Ingestion:

There were several healed and several fresh puncture wounds on [REDACTED] left and right arms. There was a fresh puncture wound on [REDACTED] right hand that was oozing blood. The inside of [REDACTED] nose was markedly reddened. He had raised heat bumps on his tongue.

10: Statements:

[REDACTED] stated he had injected cocaine the day before at approximately 2100 hours the day before. He stated he consumed a half of a Buprenorphine at approximately 0700 hours. The pill he cut was an 8 mg pill. [REDACTED] stated he consumed two 20 mg. Ritalin at approximately 0800 hours. [REDACTED] stated he took a pill that was like a Klonopin at approximately 0500 hours. He stated he got the pill from a friend and was completely sure what it was but was told it was Klonopin.

11: Opinion of Evaluator:

In my opinion [REDACTED] was under the influence of CNS Stimulants and Narcotic Analgesics and was unable to operate a motor vehicle safely.

12: Toxicological Sample:

[REDACTED] refused to have a sample of his blood drawn.

13. **Miscellaneous:** I am a Nationally Certified Drug Recognition Expert since July 2008.

Subscribed and sworn to before me on

This 22 day of September 2010

[Signature]
(Notary Public) (Judicial Officer)

[Signature]
(Affiant)
9-27-10
(date)